

**95190**

**AN ORDINANCE**

**AMENDING ORDINANCE NO. 93882 (PASSED AND APPROVED MAY 3, 2001) IN ORDER TO PROVIDE REVISIONS TO THE MEETING SCHEDULE; COMMITTEE COMPOSITION; METHODOLOGY FOR SETTING AGENDAS; AND TO PROVIDE FOR INTERPRETATION OF THE UNIFIED DEVELOPMENT CODE ("UDC") BY THE UDC TECHNICAL ADVISORY COMMITTEE.**

\* \* \* \* \*

**WHEREAS**, on May 3, 2001, City Council passed and approved Ordinance No. 93881, which adopted a revised UDC; and

**WHEREAS**, on that date, City Council adopted Ordinance No. 93882, which established a UDC Technical Advisory Committee to assist in the monitoring, review, and amendment to the revised UDC; and

**WHEREAS**, City Council desires to clarify the role of the UDC Technical Advisory Committee,  
**NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The attachment "UDC Technical Advisory Committee" to Ordinance No. 93882 is hereby amended by Appendix A of this ordinance by adding that which is underlined (underlined) and deleting that which is stricken (~~deleted~~) as set out in Appendix A of this ordinance and which is hereby adopted and incorporated herein for all purposes.

**SECTION 2.** The Committee hereby established shall be an advisory group to advise the Council, Department and Commissions noted in its charge. However, all meetings of the Unified Development Code Technical Advisory Committee shall be open to the public and Notice of its meetings shall be in compliance with the Texas Open Meetings law.

**SECTION 3.** This Committee is authorized only for a period through December 2002.

**SECTION 4.** This ordinance shall take effect ten days from date of passage.

**PASSED AND APPROVED this 17<sup>th</sup> day of January 2002**

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**M A Y O R  
EDWARD D. GARZA**

**ATTEST:**

**City Clerk**

**APPROVED AS TO FORM: \_\_\_\_\_**

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City Attorney

APPENDIX A

UNIFIED DEVELOPMENT CODE  
TECHNICAL ADVISORY COMMITTEE

In order to monitor the implementation of the UDC and to establish a problem solving mechanism a UDC technical Advisory Committee shall be appointed. Following are the guidelines for establishing the Committee and provisions for conduction business and resolving issues or concerns.

Purpose and Charge

A UDC Advisory Committee shall be appointed by the City Council to assist in the monitoring, review and amendment of the UDC. Specifically the Committee ~~will~~ shall interpret, review and provide input ~~to staff~~ concerning editing and administrative changes designed to promote efficiency of administering the UDC and compliance with the intent of the UDC. In addition, the UDC Advisory Committee shall advise the director of Development Services regarding the forgoing matters.

(1) COMPOSITION: The UDC Advisory Committee will consist of ~~47~~ fifteen 15 members as follows:

?? Chairman (Appointed by the Mayor)

?? Ten Members representing a balance between Neighborhood and Development Interest. (Appointed at large by the City Council)

?? One member each from the Planning Commission, Zoning Commission & Board of Adjustment (One each appointed by the respective Commission)

?? ~~The City of San Antonio Planning Director,~~ Development Service Director and ~~Public Works Director or their authorized designee.~~

Note: The Directors of the Departments of Public Works and Planning shall provide Support to the UDC Advisory Committee.

(2) APPOINTMENT: The City Council will appoint the at large members with the intent of Maintaining a balance between the number of Neighborhood/Community stakeholders and Development Stakeholders. Appointment shall be for a one year term which may be extended at the discretion of the City Council for a second term. Appointments to fill vacancies shall be structured to maintain the balance of a large memberships as noted in item (1) above.

(3) MEETING: The Committee shall meet as often as necessary in order to accomplish the Purpose and charge of the committee. The meeting schedule shall be set by the Chairman

On approval by the Committee ~~The UDC Advisory Committee shall meet monthly to~~  
Said meetings shall be called in order to discuss items of the UDC which appear to need  
additional clarification and/or definition and to provide input to the staff in regard to

changes needed regarding any omissions or editorial matters. ~~It shall not be the~~  
~~responsibilities or role of the UDC Advisory Committee to formulate and/or propose~~  
~~substantive changes or additions to the UDC, except as such may be necessary to~~  
~~effectuate a procedural recommendation of the Committee.~~

- (4) MEMBER REMOVAL: Committee members who miss any three consecutive regularly  
scheduled meetings shall be removed from the Committee. The City Council shall  
appoint as expeditiously as feasible a new member to serve on the Committee. Such  
member shall fit the criteria and interest of the member who is being removed from the  
Committee.
- (5) VOTING: No votes to amend or action will be taken to forward a recommendation to the  
Planning and/or Zoning Commission unless by a majority vote of the UDC Advisory  
Committee. To conduct a vote, a quorum of the Committee shall be present. A quorum  
shall consist of any ~~eleven~~ nine (9) members of the Committee present.
- (6) PROXIES: Proxy votes may not be cast.
- (7) MEMBER CONDUCT: No UDC Advisory committee Member shall speak before the  
Planning Commission, Zoning Commission and/or City Council on behalf of the  
Committee unless the Committee has authorized them to serve as the spokesperson on a  
given issue or subject. Notwithstanding the above, the UDC Advisory Committee  
Member may at any time address such bodies on their own behalf or the group which  
they represent but should not allude in such instances to Committee concurrence or  
support unless as authorized above.
- (8) CONDUCT OF BUSINESS: Procedure for UDC editing and interpreting issues which  
arise shall be as follows:
- (a) The Chairperson shall set the UDC Advisory Committee's agenda.
- (b) Editing or interpretation issues may be brought forward to the Chairperson by  
any member of the UDC Advisory Committee, city staff or stakeholder for  
discussion and consideration. The issue "must be presented in writing" by  
the individual or group bringing such issue forward.
- (c) The UDC Committee will discuss the issue and may request staff to research the  
issue, consider the committee's comments and to draft a recommended solution.
- (d) As expeditiously as possible the staff will present its recommendation for  
consideration. After discussion and approval of the majority by the UDC  
Committee members present, consisting of a quorum of at least ~~eleven~~ nine (9) of  
the Committee members, the members may vote to accept, reject or modify the  
recommendation for submission to the appropriate Commission. Provided,

1 however, the City staff may proceed with its proposed resolution regardless of  
2 the advice of the Committee.  
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8 (e) Dissenting members to a position of the Committee may submit in writing a  
9 minority opinion or recommendation to the appropriate Commission.

10  
11 (f) Edits and issues that have immediate legal consequence or adversely affect the  
12 administration of the UDC may be taken forward individually if so recommended  
13 by the City Attorney's Office or direction of the Zoning Commission, Planning  
14 UDC consultant Mark White of FLC. Mr. White will than provide his  
15 Commission or City Council without prior UDC Committee review.  
16

17 (g) ~~Matters of interpretation not resolved by staff should be referred to the City's~~  
18 ~~UDC consultant Mark White of FLC. Mr. White will then provide his~~  
19 ~~understanding of the edit or issue, his interpretation of the code regarding it and a~~  
20 ~~recommended procedure for addressing it~~ shall fall under the purview of the  
21 UDC Technical Advisory Committee. The committee Chairperson may set on  
22 the next available Committee agenda any controversy of interpretation that was  
23 submitted to the Chairperson in writing, by a member of staff or stakeholder, but  
24 not until such time as the City's UDC consultant Mark White of FLC has been  
25 given fourteen (14) days to provide his understanding of the edit or issue, his  
26 interpretation of the code regarding it and a recommended procedure for  
27 addressing it, so long as Mr. White remains as a consultant to the City.  
28

29 (h) The Committee shall consider all items set upon its agenda in not more than  
30 forty-five (45) days from the date the item is initially submitted to the Committee  
31 through its agenda. Items not disposed of in forty-five days shall be  
32 automatically forwarded to either the Planning Commission or the Zoning  
33 Commission as required by the nature of the item for further disposition.  
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35 (i) Recommendations for amendments to the UDC approved by the Committee  
36 should be brought forward to the City Council by the Director of Development  
37 Services. The City Attorney's Office shall draft all such amendments.  
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